

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of  
  
Yonique S. Fair  
  
Respondent

Civil Citation No. 63263  
  
2 Van Court

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on August 12, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-5-302 (a)(3); Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, failure to keep property free from rat infestation on residential property zoned DR 10.5 known as 2 Van Court, 21206.

On July 22, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Jason Seidelman issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 24, 2009 to cease rat infestation on property, including extermination and sealing holes. This Citation was issued on July 22, 2009.

B. Photographs in the file show several obvious rat holes around and under the front concrete steps. The property owner has not responded to County notices, and re-inspection found no apparent improvement and no traps or bait in place. Respondent must take all necessary steps to exterminate the rat infestation. Baltimore County Code Section 13-7-305. Respondent then must eliminate rat harborage by sealing all rat burrows and rat holes. Code Section 13-7-306.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent takes needed rat eradication measures and provides the County with documentation showing the actions taken by September 4, 2009. If the Respondent fails to correct the violations by that date, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 17<sup>th</sup> day of August 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer